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Attorney for Defendant  
ADRIAN TRUJILLO

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

Case No.: 2:22-cr-0204 DAD

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ADRIAN TRUJILLO,

Defendant.

STIPULATION AND ORDER TO  
CONTINUE SENTENCING HEARING AND  
MODIFY PRE-SENTENCE  
INVESTIGATION REPORT DISCLOSURE  
SCHEDULE

Court: Hon. Dale A. Drozd  
Date: October 1, 2024  
Time: 9:30 a.m.

This matter is currently set for a Sentencing Hearing on October 1, 2024. Defendant Adrian Trujillo requests to continue the Sentencing Hearing to October 15, 2024. The request for a continuance is based on the following stipulations between the parties, which constitute good cause for continuance of the Sentencing Hearing:

ORDER CONTINUING SENTENCING  
HEARING AND MODIFYING  
PSR DISCLOSURE SCHEDULE

- 1       1. This Court granted the most recent request for continuance of the Sentencing  
2       Hearing, to October 1, 2024, by an Order issued on July 11, 2024. (ECF Entry 126 –  
3       hereafter “the Sentencing Order”). The Sentencing Order set out a modified Pre-  
4       Sentence Investigation Report (“PSR”) Disclosure Schedule. The PSR Disclosure  
5       Schedule in the Sentencing Order set dates consistent with the requirements  
6       established by Rule 461 of the Local Rules of Practice for the United States District  
7       Court, Eastern District of California (hereafter “L.R.”).
- 8  
9       2. The PSR Disclosure Schedule required the Draft PSR to be disclosed to counsel on or  
10      before August 20, 2024. The Probation Department disclosed the Draft PSR ten days  
11      late on August 30, 2024. Defense counsel and the Assistant U.S. Attorney assigned  
12      to this matter thereafter emailed Informal Requests for Correction to the Draft PSR to  
13      the Probation Department on September 11, 2024, and September 12, 2024,  
14      respectively. The parties’ informal correction letters were emailed to the Probation  
15      Department within fourteen days following disclosure of the Draft PSR as required by  
16      the Sentencing Order.
- 17  
18      3. The Probation Department did not release the Final PSR, along with the Probation  
19      Department’s Sentencing Recommendation, until September 24, 2024 – two weeks  
20      after the Final PSR Disclosure date set in the Sentencing Order and as required by LR  
21      461(c) (“Not less than twenty-one (21) days before the date set for the sentencing  
22      hearing, the probation officer shall submit the presentence report, including  
23      recommendations, to the sentencing Judge and make it available to counsel for the  
24      defendant and the Government.”)
- 25  
26  
27

1 4. The Probation Department's late disclosure of the Final PSR included the corrections  
2 jointly requested by both parties in their informal correction letters. A Motion for  
3 Correction is therefore not anticipated by either party.

4  
5 5. Adrian Trujillo is presently housed at the Yuba County Jail in Marysville, California.  
6 The Yuba County Jail is about forty miles from defense counsel's downtown  
7 Sacramento office. Defense counsel, due to the Probation Department's late  
8 disclosure, has not had the opportunity to review the Final PSR and sentencing  
9 recommendations with Adrian Trujillo.

10  
11 6. Defense counsel is required to review the PSR with the Defendant by L.R. 461(b).  
12 Defense counsel also needs additional time to prepare a Sentencing Memorandum  
13 and supporting mitigation materials as allowed by the express terms of the Plea  
14 Agreement between the parties.

15 Given the late disclosure of the Final PSR and sentencing recommendations, along with  
16 Adrian Trujillo's housing location, defense counsel requires additional time to prepare for the  
17 Sentencing Hearing in this matter. It is therefore requested that the Court vacate the Sentencing  
18 Hearing on October 1, 2024, and set a Sentencing Hearing on October 15, 2024. The assigned  
19 supervising probation officer has confirmed her availability on the requested date. The  
20 government does not oppose the request.

21  
22 The defense further requests to modify the remaining Pre-Sentence Investigation Report  
23 (PSR) Disclosure Schedule as follows:

24  
25 1. Reply Date: October 8, 2024

26 This request follows a guilty plea so an exclusion of time pursuant to the Speedy Trial  
27

28 ORDER CONTINUING SENTENCING  
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Act is not required. Assistant U.S. Attorney Robert Abendroth has authorized Todd D. Leras via email to sign this stipulation on his behalf.

DATED: September 25, 2024

By /s/ Todd D. Leras for  
ROBERT C. ABENDROTH  
Assistant United States Attorney

DATED: September 25, 2024

By /s/ Todd D. Leras  
TODD D. LERAS  
Attorney for Defendant  
ADRIAN TRUJILLO

### ORDER

Given the above stipulations between the parties, and good cause appearing to exist, the Sentencing Hearing, currently set for October 1, 2024, is vacated. The Sentencing Hearing in this matter is continued to October 15, 2024, at 9:30 a.m. The partial PSR Disclosure Schedule modification requested by the parties is adopted. The parties acknowledge and understand that no further continuances of the Sentencing Hearing will be entertained absent the existence of good cause.

IT IS SO ORDERED.

Dated: September 26, 2024

Dale A. Drozd  
DALE A. DROZD  
UNITED STATES DISTRICT JUDGE

ORDER CONTINUING SENTENCING  
HEARING AND MODIFYING  
PSR DISCLOSURE SCHEDULE